

**NUTS AND NUT PRODUCTS**

**24079. Cashew nuts.** (F. D. C. No. 40305. S. No. 68-444 M.)

**QUANTITY:** 77 tins, 2 25-lb. cans each, at New York, N. Y.

**SHIPPED:** 1-2-57, from India.

**LIBELED:** 6-5-57, S. Dist. N. Y.

**CHARGE:** 402 (a) (3)—contained insects when shipped.

**DISPOSITION:** 7-8-57. Consent—claimed by Joseph A. Zaloom & Co., Inc., New York, N. Y. Segregated; 339 lbs. destroyed.

**24080. Shelled peanuts (2 seizure actions).** (F. D. C. Nos. 40299, 40301. S. Nos. 76-896 M, 76-962 M.)

**QUANTITY:** 125 100-lb. bags at Atlanta, Ga., in possession of Drennon Food Products Co.

**SHIPPED:** 1-22-57, from Suffolk, Va.

**LIBELED:** 5-31-57, N. Dist. Ga.

**CHARGE:** 402 (a) (3)—contained insects; and 402 (a) (4)—held under insani-tary conditions.

**DISPOSITION:** 7-17-57. Consent—claimed by Drennon Food Products Co. Seg-regated; 689 lbs. destroyed.

**24081. Shelled peanuts.** (F. D. C. No. 40281. S. No. 48-618 M.)

**QUANTITY:** 28 ctns. at Grand Rapids, Mich.

**SHIPPED:** 5-24-57, from Indianapolis, Ind., by Peanut Products Co.

**LABEL IN PART:** "Processed With Vegetable Oil and Salt \* \* \* Buster 10 Lbs. Net Spanish Salted Peanuts."

**LIBELED:** 6-17-57, W. Dist. Mich.

**CHARGE:** 403 (f)—the declaration of ingredients on the label of the article, when shipped, was not prominently placed thereon with such conspicuousness and in such terms as to render it likely to be read and understood by the ordi-nary individual under customary conditions of purchase and use; 403 (i) (2)—the label of the article failed to bear the common or usual name of each ingredient, since propyl gallate and butylated hydroxyanisole have not been declared; and 403 (k)—the label of the article failed to state that it contained chemical preservatives.

**DISPOSITION:** 7-24-57. Default—delivered to a charitable institution for its use, and not for sale.

**24082. Walnut flakes, prunes, and horseradish.** (F. D. C. No. 39870. S. Nos. 62-095/7 M.)

**QUANTITY:** 17 25-lb. ctns. of walnut flakes, 65 25-lb. cases and 35 30-lb. cases of prunes, and 23 500-lb. barrels of horseradish at Brooklyn, N. Y.

**SHIPPED:** The walnuts from which the walnut flakes were prepared were im-ported from Iran on 6-17-55; the prunes were shipped from San Jose, Calif., on 11-16-55; and the horseradish roots from which the horseradish was pre-pared were imported from West Germany between 12-11-53 and 2-5-54.

**LIBELED:** 2-14-57, E. Dist. N. Y.

**CHARGE:** 402 (a) (3)—while held for sale, the walnut flakes contained rodent pellets, insects, insect excreta and webbing; the prunes were insect infested

and moldy; and the horseradish contained decomposed horseradish, fruit flies, and fruit fly pupae.

DISPOSITION: 3-20-57. Default—destruction.

## OILS AND FATS

24083. Table and cooking oil. (F. D. C. No. 40325. S. No. 62-957 M.)

QUANTITY: 36 ctns., 6 1-gal. cans each, at New Haven, Conn.

SHIPPED: 4-1-57, from Brooklyn, N. Y., by Lucci Sales Co.

LABEL IN PART: (Can) "Extra Fine Cielo Celeste Brand Contents One Gallon Net Composed of 75% Choice Peanut & Corn Oils 25% Pure Imported Olive Oil."

RESULTS OF INVESTIGATION: Examination showed that the article was essentially an artificially flavored peanut oil or corn oil with little or no olive oil present.

LIBELED: 6-18-57, Dist. Conn.

CHARGE: 402 (b) (1)—a valuable constituent, olive oil, had been in whole or in part omitted from the article when shipped; 402 (b) (2)—artificially flavored vegetable oil had been substituted in whole or in part for a mixture of 75 percent peanut and corn oils and 25 percent olive oil which the article was represented to be; and 403 (a)—the label statement "75% \* \* \* Peanut and Corn Oils 25% \* \* \* Olive Oil" was false and misleading.

DISPOSITION: 1-20-58. Default—delivered to a charitable institution for its use.

24084. Table and cooking oil. (F.D. C. No. 40165. S. No. 62-757 M.)

QUANTITY: 35 1-gal. cans, at Clifton, N. J.

SHIPPED: Between 1-4-57 and 2-14-57, from New York, N. Y., by G. Cuccia & Sons, Inc.

LABEL IN PART: (Can) "Cielo Celeste Brand \* \* \* Composed of 75% Choice Peanut & Corn Oils 25% Pure Imported Olive Oil Packed by Lucci Sales Co., Brooklyn, N. Y."

RESULTS OF INVESTIGATION: Examination showed that the article was a mixture of vegetable oils other than peanut and corn oil, with little or no peanut oil, corn oil, or olive oil present.

LIBELED: 4-17-57, Dist. N. J.

CHARGE: 402 (b) (2)—when shipped, a vegetable oil, or mixture of vegetable oils other than peanut oil and corn oil, had been substituted in whole or in part for a mixture of 75 percent peanut and corn oils and 25 percent olive oil; and 403 (a)—the label statement "75% \* \* \* Peanut & Corn Oils 25% \* \* \* Olive Oil" was false and misleading.

DISPOSITION: 5-31-57. Default—delivered to a charitable institution for consumption, and not for resale.

## POULTRY

24085. Dressed and cut-up poultry. (Inj. No. 296.)

COMPLAINT FOR INJUNCTION FILED: 11-15-55, N. Dist. Ga., against Etowah Poultry Co., Inc., Canton, Ga., and W. B. Anderson, president.

CHARGE: The complaint alleged that the defendants were engaged in preparing and distributing dressed, drawn, and cut-up poultry, and had been and